

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Andhra Pradesh Medical & Health Services – Dr.Ch.Srinivasulu, Civil Assistant Surgeon formerly Area Hospital, Jangaon, Warangal District – Unauthorized absence from duty w.e.f. 17.04.2001 – Termination from service of him along with other doctors - Challenged the said Termination orders in the Hon'ble Tribunal – Hon'ble Tribunal set aside the termination orders – Against the orders of Hon'ble Tribunal challenged in A.P. High Court by filing W.P.No.16386/03 etc. – Interim orders of the A.P. High Court dt.8.10.2004 in W.P.No.16386/03 etc. reinstate him into service subject to out of outcome of Judgment – Disciplinary proceeding – Articles of charges issued – Explanation of Charged Officer obtained – Conduct regular enquiry – Dropping further action and treating the unauthorized absence period w.e.f. 17.04.2001 to 7.08.2005 as Medical Leave – Orders – Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (VC.II.1) DEPARTMENT

G.O.Rt.No. 1211

Dated: 17-09-2009

Read the following:

1. The DCHS, Jangaon, Warangal Dist. Lr.Rc.No.88/DCHS/JAN/01, dt.19.07.2001.
2. Termination orders Rc.No.3691/01, dt.23.10.2001 issued by the Commissioner, APVVP.
3. APAT orders in O.A.No.2537/05, dt.14.06.2005 filed by Dr.Ch.Srinivasulu, CAS (under orders of Termination) Area Hospital, Jangaon, Warangal Dist.
4. Filed W.P.No.16386/03 against the orders of APAT.
5. Govt. Lr.No.24977/VC.II.1/02-25, dt.8.08.2005.
6. From the Commr., APVVP Prog.Rc.No.8832/M2-B/05, dt.28.09.2005.
7. Charge Memo Rc.No.1252/VC.A/05, dt.17.12.2005 issued by the Commissioner, APVVP.
8. Explanation of Dr.Ch.Srinivasulu, CAS, CHC, Narsapur, Medak Dist, letter dt.Nil.
9. From the Commissioner, APVVP in Rc.No.1252/VC.C/05, dt.5.06.2009.
10. From E.O. Lr.No.Nil/Peshi/Vigilance Officer/09, dt.26.06.2009.
11. From the Commr., APVVP Lr.Rc.No.1252/VC.C/05, dt.29.06.2009.

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ORDER:

Whereas, in the reference 1st read above, the District Co-ordinator Hospital Services, Jangaon, Warangal District had informed to the Commissioner, A.P. Vaidya Vidhana Parishad, that, Dr.Ch.Srinivasulu, Civil Assistant Surgeon, Area Hospital, Jangaon, Warangal District went on unauthorized absence from duties w.e.f. 17.04.2001.

2. Accordingly, the Commissioner, A.P. Vaidya Vidhana Parishad, had issued show cause notice to the individual, as to why his service should not be terminated. Subsequently, the show cause notice was also published in Hindu and Eenadu news paper on 16.09.2001 & 17.09.2001 respectively. The above individual (i.e. Charged Officer) neither has approached the Commissioner, A.P. Vaidya Vidhana Parishad nor has made any representation for his defence, therefore the services of above individual were terminated, along with other Doctors, vide reference 2nd read above.

3. In the reference 3rd read above, the above individual filed O.A.No.2537/2005 in the A.P. Administrative Tribunal against his termination orders and the Hon'ble Tribunal has set aside the said termination orders.

(P.T.O.)

4. In the reference 4th read above, the Commissioner, A.P. Vaidya Vidhana Parishad has appealed and filed W.P.No.16386/2003 against the above orders of the A.P. Administrative Tribunal and the Hon'ble High Court passed interim orders. Accordingly, the Government after careful examination of the representation, of above individual in the light of the interim orders of High Court and decided to reinstate him into service, subject to out come of the final Judgment of the High Court in W.P.No.16386/2003, vide reference 5th read above. Accordingly, the Commissioner, A.P. Vaidya Vidhana Parishad, issued Proceeding for the reinstatement of the Charged Officer and posted him at Community Health Centre, Gajwel, Medak District, vide reference 6th read above.

5. In the reference 7th read above, the Commissioner, A.P. Vaidya Vidhana Parishad has issued charge memo to Dr.Ch.Srinivasulu, Civil Assistant Surgeon, Community Health Centre, Gajwel, Medak District for his unauthorized absence from duty. In the reference 8th read above, the above Charged Officer has submitted his explanation to the charge memo. The Commissioner, A.P. Vaidya Vidhana Parishad after examination of explanation of the Charged Officer found that the same was not satisfactory and appointed the Vigilance Officer, Office the A.P. Vaidya Vidhana Parishad as Enquiry Officer to conduct regular enquiry in the matter, vide reference 9th read above.

6. In the reference 10th read above, the Enquiry Officer has submitted his enquiry report the same has been forwarded to the Government, vide reference 11th read above.

7. Government after careful examination of the enquiry report and explanation of the Charged Officer with available material, it is observed that the above Charged Officer has applied for leave the same was entered in Attendance register as "Sick leave" from 17.04.2001 and signed by the Medical Superintendent, Area Hospital, Jangaon, however no action was taken on his leave application by the competent authority. It is therefore felt that the Charged Officer may not be found fault with in the face of enquiry report. The Government therefore hereby consider the enquiry report and decided to drop further action against Dr.Ch.Srinivasulu, Civil Assistant Surgeon formerly Area Hospital, Jangaon, Warangal and presently working at Community Health Centre, Narsapur, Medak District, as there is no fault of his for the said unauthorized absence from duties, and decided to treat the period of unauthorized absence w.e.f. 17.04.2001 to 7.08.2005 as "Medical Leave", despite the W.P.No.16386/2003 was pending before the Hon'ble High Court against some doctors for unauthorized absence including the name of Dr.Ch.Srinivasulu.

8. Accordingly, further action against Dr.Ch.Srinivasulu, Civil Assistant Surgeon formerly Area Hospital, Jangaon, Warangal and presently working at Community Health Centre, Narsapur, Medak District is hereby dropped and the period of unauthorized absence w.e.f. 17.04.2001 to 7.08.2005 is treated as "Medical Leave" in the matter.

9. The Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**DR. VIJAY KUMAR
EX-OFFICIO SECRETARY TO GOVERNMENT**

To

Dr.Ch.Srinivasulu, Civil Assistant Surgeon formerly Area Hospital, Jangaon,
Warangal and presently working at CHC, Narsapur, Medak District

through the Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad.

The Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad.

Copy to:

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//FORWARDED:: BY ORDER//

SECTION OFFICER